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ONE HUNDRED NINTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

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September 16, 2005

The Honorable Alberto R. Gonzales
Attorney General of the United States
U. S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Dear Mr. Attorney General:

Today I learned that according to an article in the *Clarion-Ledger* your office has sent an email to U.S. Attorney's Offices asking "Has your district defended any cases on behalf of the (U.S.) Army Corps of Engineers against claims brought by environmental groups seeking to block or otherwise impede the Corps work on the levees protecting New Orleans? If so, please describe the case and the outcome of the litigation."

If this is true, I am concerned that the motivation may be perceived as political, rather than an attempt to pursue a legitimate law enforcement goal or objective, which should be the Department's primary goal. This diversion of time and resources would seem particularly problematic given the difficulties the affected U.S. Attorneys offices have no doubt had in responding to Hurricane Katrina, and the incredibly heavy workloads they must be facing. As a result, I would appreciate your responding to the following questions:

1. Did your office circulate this or a similar e-mail? If so, to which offices was the e-mail circulated?
2. What caused your office to circulate the e-mail, and what personnel both inside and outside the Department were involved in the matter?
3. Did you set a deadline for a response? Have you received any responses yet? Please forward to my office any responses you have received or receive in the future.
4. Please estimate the cost – both out-of-pocket, and lost person hours – to both consider and circulate this request and for the various U.S. Attorney offices to respond.

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5. What safeguards, if any, did you interpose to insure that a responding to this e-mail did not displace any legitimate law enforcement priorities of the applicable offices?
6. Has the Department ever sought information regarding previous litigation activity in connection with any other natural disaster other than Hurricane Katrina? If so, please provide my office with a description of such requests.

I would appreciate receiving a full or partial response to this letter at your earliest possible convenience but no later than September 23, 2005. Please forward your response to my Judiciary Committee Minority Office, 2142 Rayburn House Office Building, Washington, D.C. 20515, tel. 202-225-6504, fax 202-225-4423.

Sincerely,



John Conyers, Jr.
Ranking Member

cc: The Honorable F. James Sensenbrenner, Jr.
The Honorable William E. Moschella